Royal Canadian Mounted Police
External Review Committee

Comité externe d'examen
de la Gendarmerie royale du Canada

Privacy Act

RCMP External Review Committee

Annual Report
2011-12

INTRODUCTION

The *Privacy Act* protects the privacy of all Canadian citizens and permanent residents regarding personal information held by a government institution. It also gives individuals, including those in Canada who are not permanent residents or citizens, the right to access their own personal information.

Section 72 of the *Privacy Act* requires that the head of every government institution submit an annual report to Parliament on the administration of the *Act* during the financial year. This report describes how the RCMP External Review Committee administered the *Privacy Act* throughout fiscal year 2011-12.

ABOUT THE RCMP EXTERNAL REVIEW COMMITTEE

The Royal Canadian Mounted Police External Review Committee (ERC) was created by Part II of the *Royal Canadian Mounted Police Act*, R.S.C., 1985, c. R-10, as amended, as an independent and impartial body to review appeals of formal discipline, appeals of discharge or demotion, and certain types of grievances involving regular and civilian members of the RCMP. The ERC independently reviews cases referred to it and submits recommendations to the Commissioner of the RCMP.

PRIVACY RESPONSIBILITIES

Because of the small size of the ERC (less than 10 FTE's) and of the small number of requests, all access to information-related functions are performed by the Executive Director and the Manager, Administrative Services. The ERC has no regional offices. The ERC processes requests as follows:

- the requested information is identified;
- the requests are examined to see if they should be transferred to another government institution with a 'greater interest';
- possible exemptions are considered;
- a copy of the non-exempt information is prepared and forwarded to the requester with a transmittal letter; and,
- the requests and all related documentation are filed in the ERC's ATIP registry.

All personal information is compartmentalized, and access is controlled, to ensure it will only be used for the purpose for which it was collected. Disclosure is limited to two categories: as prescribed in the *RCMP Act*, or as required for recognized internal administrative purposes.

The ERC relies on existing Treasury Board guidelines.

DELEGATION ORDER

The Minister of Public Safety, pursuant to section 73 of the *Privacy Act*, designates the Chair, the Vice-Chair and the Executive Director and Senior Counsel of the ERC to exercise the powers and perform the duties of the Minister as the head of a government institution, that is, the Royal Canadian Mounted Police External Review Committee, under the sections of the *Act*. The responsibilities associated with the administration of the *Privacy Act* include notifying applicants of extensions and releasing records to applicants (see Annex A, Delegation Order).

PRIVACY ACT REQUESTS RECEIVED

Throughout fiscal year 2011-12, the ERC received seven requests under the *Privacy Act*. The disposition of the requests is as follows:

All disclosed	0
Disclosed in part	0
All exempted	0
All excluded	0
No records exist	7
Request abandoned	0
Total	7

Annex B provides a summarized statistical report on *Privacy Act* requests processed by the ERC between April 1, 2011 and March 31, 2012.

DISPOSITION OF REQUESTS

The seven requests where no records exist included requests for records that were not under the control of the ERC. The applicants were advised accordingly.

CONSULTATIONS FROM OTHER INSTITUTIONS

During the reporting period, the ERC received one consultation in response to a formal request received by another federal institution. The recommendation to disclose the information entirely was completed between one and 15 days.

TRAINING ACTIVITIES

As the ERC receives a very small number of privacy requests and the majority are requests where no records exist, no formal privacy training has been provided in this reporting period. However, some legal staff at the ERC have received legal training in ATIP matters. The requests that are challenging require legal analysis.

All information about the ATIP program is routinely circulated to all staff of the ERC. Also, the ERC regularly disseminates information through its quarterly newsletter *Communiqué*, its annual report and communications activities concerning its operations.

POLICIES, GUIDELINES AND PROCEDURES

The ERC did not implement any new or revised privacy related policies, guidelines or procedures during the reporting period.

COMPLAINTS/INVESTIGATIONS

The ERC did not receive any complaints and was not investigated during the reporting period.

APPLICATIONS/APPEALS TO THE FEDERAL COURTS

There were no applications/appeals to the Courts for fiscal year 2011-12.

PRIVACY IMPACT ASSESSMENTS (PIA) COMPLETED DURING THE YEAR

There were no PIA's or Preliminary PIA's undertaken by the ERC during the reporting period.

DISCLOSURES PURSUANT TO PARAGRAPH 8(2)(M) OF THE *PRIVACY ACT*

Subsection 8(2) of the *Privacy Act* provides limited and specific circumstances under which institutions may disclose personal information without an individual's consent. During the reporting period, the ERC did not disclose personal information pursuant to paragraphs 8(2)(m) of the *Privacy Act*.

Privacy Act Delegation Order

Arrêté sur la délégation en vertu de la *Loi sur la protection des renseignements personnels*

The Minister of Public Safety Canada, pursuant to section 73 of the *Privacy Act**, hereby designates the persons holding the positions set out in the schedule hereto to exercise the powers and perform the duties and functions of the Minister as the head of a government institution, that is, the Royal Canadian Mounted Police External Review Committee, under the sections of the *Act* set out in the schedule opposite each position.

En vertu de l'article 73 de la *Loi sur la protection des renseignements personnels**, le Ministre de la Sécurité publique Canada délègue aux titulaires des postes mentionnés à l'annexe ci-après, les attributions don't il est, en qualité de responsable d'une institution fédérale, c'est-à-dire, le Comité externe d'examen de la Gendarmerie royale du Canada, investi par les articles de la *Loi* mentionnés en regard de chaque poste.

Schedule

Annexe

Position Poste	Sections of the *Privacy Act* Article de la *Loi sur la protection des renseignements personnels*
Chairman Président	8(2)(j), 8(2)(m), 8(4), 8(5), 10, 15, 17(2), 18(2), 19 to/à 28 incl., 35(4), 51(2), 51(3), Reg./Règ. 9, 11(2), 11(4), 13(1), 14
Vice-Chairman Vice-président	8(2)(j), 8(2)(m), 8(4), 8(5), 10, 15, 17(2), 18(2), 19 to/à 28 incl., 35(4), 51(2), 51(3), Reg./Règ. 9, 11(2), 11(4), 13(1), 14

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Schedule

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Position Poste	Sections of the *Privacy Act* Article de la *Loi sur la protection des renseignements personnels*
Executive Director and Senior Counsel Directeur exécutif et avocat principal	8(4), 8(5), 10, 15, 17(2), 18(2), 35(4), 51(2), 51(3), Reg./Règ. 9, 11(2), 11(4), 13(1), 14

Dated at the City of Ottawa, this 25th day of May, 2010

Daté en la ville d'Ottawa, ce _____ ième jour de _____, 2010

V Toews

Vic Toews, P.C., M.P.
Public Safety Canada

Vic Toews, C.P., député
Sécurité publique Canada

* R.S.C., 1985, c. A-1

*L.R.C. (1985), ch. A-1

ANNEX B

Government of Canada / Gouvernement du Canada

Statistical Report on the *Privacy Act*

Name of institution: RCMP External Review Committee

Reporting period: 01/04/2011 to 31-Mar-12

PART 1 – Requests under the *Privacy Act*

	Number of Requests
Received during reporting period	7
Outstanding from previous reporting period	0
Total	7
Closed during reporting period	7
Carried over to next reporting period	0

PART 2 – Requests closed during the reporting period

2.1 Disposition and completion time

Disposition of requests	Completion Time							
	1 to 15 days	16 to 30 days	31 to 60 days	61 to 120 days	121 to 180 days	181 to 365 days	More than 365 days	Total
All disclosed	0	0	0	0	0	0	0	0
Disclosed in part	0	0	0	0	0	0	0	0
All exempted	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0
No records exist	7	0	0	0	0	0	0	7
Request abandoned	0	0	0	0	0	0	0	0
Total	7	0	0	0	0	0	0	7

2.2 Exemptions

Section	Number of requests	Section	Number of requests	Section	Number of requests
18(2)	0	22(1)(a)(i)	0	23(a)	0
19(1)(a)	0	22(1)(a)(ii)	0	23(b)	0
19(1)(b)	0	22(1)(a)(iii)	0	24(a)	0
19(1)(c)	0	22(1)(b)	0	24(b)	0
19(1)(d)	0	22(1)(c)	0	25	0
19(1)(e)	0	22(2)	0	26	0
19(1)(f)	0	22.1	0	27	0
20	0	22.2	0	28	0
21	0	22.3	0		

2.3 Exclusions

Section	Number of requests	Section	Number of requests	Section	Number of requests
69(1)(a)	0	70(1)(a)	0	70(1)(d)	0
69(1)(b)	0	70(1)(b)	0	70(1)(e)	0
69.1	0	70(1)(c)	0	70(1)(f)	0
				70.1	0

2.4 Format of information released

Disposition	Paper	Electronic	Other formats
All disclosed	0	0	0
Disclosed in part	0	0	0
Total	0	0	0

2.5 Complexity

2.5.1 Relevant pages processed and disclosed

Disposition of requests	Number of pages processed	Number of pages disclosed	Number of requests
All disclosed	0	0	0
Disclosed in part	0	0	0
All exempted	0	0	0
All excluded	0	0	0
Request abandoned	0	0	0

2.5.2 Relevant pages processed and disclosed by size of requests

Disposition	Less than 100 pages processed		101-500 pages processed		501-1000 pages processed		1001-5000 pages processed		More than 5000 pages processed	
	Number of Requests	Pages disclosed	Number of Requests	Pages disclosed	Number of Requests	Pages disclosed	Number of Requests	Pages disclosed	Number of Requests	Pages disclosed
All disclosed	0	0	0	0	0	0	0	0	0	0
Disclosed in part	0	0	0	0	0	0	0	0	0	0
All exempted	0	0	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0	0	0
Abandoned	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0

2.5.3 Other complexities

Disposition	Consultation required	Legal Advice Sought	Interwoven Information	Other	Total
All disclosed	0	0	0	0	0
Disclosed in part	0	0	0	0	0
All exempted	0	0	0	0	0
All excluded	0	0	0	0	0
Abandoned	0	0	0	0	0
Total	0	0	0	0	0

2.6 Deemed refusals

2.6.1 Reasons for not meeting statutory deadline

Number of requests closed past the statutory deadline	Principal Reason			
	Workload	External consultation	Internal consultation	Other
0	0	0	0	0

2.6.2 Number of days past deadline

Number of days past deadline	Number of requests past deadline where no extension was taken	Number of requests past deadline where an extension was taken	Total
1 to 15 days	0	0	0
16 to 30 days	0	0	0
31 to 60 days	0	0	0
61 to 120 days	0	0	0
121 to 180 days	0	0	0
181 to 365 days	0	0	0
More than 365 days	0	0	0
Total	0	0	0

2.7 Requests for translation

Translation Requests	Accepted	Refused	Total
English to French	0	0	0
French to English	0	0	0
Total	0	0	0

PART 3 – Disclosures under subsection 8(2)

Paragraph 8(2)(e)	Paragraph 8(2)(m)	Total
0	0	0

PART 4 – Requests for correction of personal information and notations

	Number
Requests for correction received	0
Requests for correction accepted	0
Requests for correction refused	0
Notations attached	0

PART 5 – Extensions

5.1 Reasons for extensions and disposition of requests

Disposition of requests where an extension was taken	15(a)(i) Interference with operations	15(a)(ii) Consultation		15(b) Translation or conversion
		Section 70	Other	
All disclosed	0	0	0	0
Disclosed in part	0	0	0	0
All exempted	0	0	0	0
All excluded	0	0	0	0
No records exist	0	0	0	0
Request abandoned	0	0	0	0
Total	0	0	0	0

5.2 Length of extensions

Length of extensions	15(a)(i) Interference with operations	15(a)(ii) Consultation		15(b) Translation purposes
		Section 70	Other	
1 to 15 days	0	0	0	0
16 to 30 days	0	0	0	0
Total	0	0	0	0

PART 6 – Consultations received from other institutions and organizations

6.1 Consultations received from other government institutions and organizations

Consultations	Other government institutions	Number of pages to review	Other organizations	Number of pages to review
Received during the reporting period	1	4	0	0
Outstanding from the previous reporting period	0	0	0	0
Total	1	4	0	0
Closed during the reporting period	1	4	0	0
Pending at the end of the reporting period	0	0	0	0

6.2 Recommendations and completion time for consultations received from other government institutions

Recommendation	Number of days required to complete consultation requests							
	1 to 15 days	16 to 30 days	31 to 60 days	61 to 120 days	121 to 180 days	181 to 365 days	than 365 days	Total
Disclose entirely	1	0	0	0	0	0	0	1
Disclose in part	0	0	0	0	0	0	0	0
Exempt entirely	0	0	0	0	0	0	0	0
Exclude entirely	0	0	0	0	0	0	0	0
Consult other institution	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
Total	1	0	0	0	0	0	0	1

6.3 Recommendations and completion time for consultations received from other organizations

Recommendation	Number of days required to complete consultation requests							
	1 to 15 days	16 to 30 days	31 to 60 days	61 to 120 days	121 to 180 days	181 to 365 days	than 365 days	Total
Disclose entirely	0	0	0	0	0	0	0	0
Disclose in part	0	0	0	0	0	0	0	0
Exempt entirely	0	0	0	0	0	0	0	0
Exclude entirely	0	0	0	0	0	0	0	0
Consult other institution	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0

PART 7 – Completion time of consultations on Cabinet confidences

Number of days	Number of responses received	Number of responses received past deadline
1 to 15	0	0
16 to 30	0	0
31 to 60	0	0
61 to 120	0	0
121 to 180	0	0
181 to 365	0	0
More than 365	0	0
Total	0	0

PART 8 – Resources related to the *Privacy Act*

8.1 Costs

Expenditures		Amount
Salaries		$2,000
Overtime		$0
Goods and Services		$0
• Contracts for privacy impact assessments	$0	
• Professional services contracts	$0	
• Other	$0	
Total		**$2,000**

8.2 Human Resources

Resources	Dedicated full-time	Dedicated part-time	Total
Full-time employees	0.00	0.50	0.50
Part-time and casual employees	0.00	0.00	0.00
Regional staff	0.00	0.00	0.00
Consultants and agency personnel	0.00	0.00	0.00
Students	0.00	0.00	0.00
Total	0.00	0.50	0.50

ANNEX B - 1

Additional Reporting Requirements – *Privacy Act*

Treasury Board Secretariat is monitoring compliance with the Privacy Impact Assessment (PIA) Policy (which came into effect on May 2, 2002) and the Directive on Privacy Impact Assessment (which takes effect April 1, 2010) through a variety of means. Institutions are therefore required to report the following information for this reporting period. Note that because some institutions are using the Core PIA as outlined in the Directive in advance of the implementation deadline, they will not have Preliminary PIAs to report.

Indicate the number of:

- Preliminary Privacy Impact Assessments initiated
- Preliminary Privacy Impact Assessments completed
- Privacy Impact Assessments initiated
- Privacy Impact Assessments completed
- Privacy Impact Assessments forwarded to the Office of the Privacy Commissioner (OPC)

The RCMP External Review Committee did not undertake any of the activities noted *above during the reporting period.*